

September 30, 1999; to the Committee on Commerce, Science, and Transportation.

EC-5496. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Procedures; Miscellaneous Amendments (72), Amdt. No. 1951 (9-23/9-30)" (RIN2120-AA65) (1999-0047), received September 30, 1999; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-357. A joint resolution adopted by the Legislature of the State of California relative to Filipino veterans; to the Committee on Veterans' Affairs.

##### ASSEMBLY JOINT RESOLUTION NO. 15

Whereas, the Philippine Islands, as a result of the Spanish-American War, were a possession of the United States between 1898 and 1946; and

Whereas, in 1934, the Philippine Independence Act (P.L. 73-127) set a 10-year timetable for the eventual independence of the Philippines and in the interim established a government of the Commonwealth of the Philippines with certain powers over its own internal affairs; and

Whereas, the granting of full independence ultimately was delayed for two years until 1946 because of the Japanese occupation of the islands from 1942 to 1945; and

Whereas, between 1934 and the final independence of the Philippine Islands in 1946, the United States retained certain sovereign powers over the Philippines, including the right, upon order of the President of the United States, to call into the service of the United States Armed Forces all military forces organized by the Commonwealth government; and

Whereas, President Franklin D. Roosevelt, by Executive order of July 26, 1941, brought the Philippine Commonwealth Army into the service of the United States Armed Forces of the Far East under the command of Lieutenant General Douglas MacArthur; and

Whereas, under the Executive Order of July 26, 1941, Filipinos were entitled to full veterans benefits; and

Whereas, approximately 200,000 Filipino soldiers, driven by a sense of honor and dignity, battled under the United States Command after 1941 to preserve our liberty; and

Whereas, there are four groups of Filipino nationals who are entitled to all or some of the benefits to which United States veterans are entitled. These are:

(1) Filipinos who served in the regular components of the United States Armed Forces.

(2) Regular Philippine Scouts, called "Old Scouts," who enlisted in Filipino-manned units of the United States Army prior to October 6, 1945. Prior to World War II, these troops assisted in the maintenance of domestic order in the Philippines and served as a combat-ready force to defend the islands against foreign invasion, and during the war, they participated in the defense and retaking of the islands from Japanese occupation.

(3) Special Philippine Scouts, called "New Scouts," who enlisted in the United States Armed Forces between October 6, 1945, and June 30, 1947, primarily to perform occupation duty in the Pacific following World War II.

(4) Members of the Philippine Commonwealth Army who on July 26, 1941, were called into the service of the United States Armed Forces. This group includes organized guerrilla resistance units that were recognized by the United States Army; and

Whereas, The first two groups, Filipinos who served in the regular components of the United States Armed Forces and Old Scouts, are considered United States veterans and are generally entitled to the full range of United States veterans benefits; and

Whereas, The other two groups, New Scouts and members of the Philippine Commonwealth Army, are eligible for certain veterans benefits, some of which are lower than full veterans benefits; and

Whereas, United States veterans medical benefits for the four groups of Filipino veterans vary depending upon whether the person resides in the United States or the Philippines; and

Whereas, The eligibility of Old Scouts for benefits based on military service in the United States Armed Forces has long been established; and

Whereas, the federal Department of Veterans Affairs operates a comprehensive program of veterans benefits in the present government of the Republic of the Philippines, including the operation of a federal Department of Veterans Affairs office in Manila; and

Whereas, The federal Department of Veterans Affairs does not operate a program of this type in any other country; and

Whereas, The program in the Philippines evolved because the Philippine Islands were a United States possession during the period 1898-1946, and many Filipinos have served in the United States Armed Forces, and because the preindependence Philippine Commonwealth Army was called into the service of the United States Armed Forces during World War II (1941-1945); and

Whereas, Our nation has failed to meet the promises made to those Filipino soldiers who fought as American soldiers during World War II; and

Whereas, The Congress passed legislation in 1946 limiting and precluding Filipino veterans that fought in the service of the United States during World War II from receiving most veterans benefits that were available to them before 1946; and

Whereas, Many Filipino veterans have been unfairly treated by the classification of their service as not being service rendered in the United States Armed Forces for purposes of benefits from the federal Department of Veterans Affairs; and

Whereas, All other nationals who served in the United States Armed Forces have been recognized and granted full rights and benefits, but the Filipinos, as American nationals at the time of service, were and still are denied recognition and singled out for exclusion, and this treatment is unfair and discriminatory; and

Whereas, On October 20, 1996, President Clinton issued a proclamation honoring the nearly 100,000 Filipino veterans of World War II, soldiers of the Philippine Commonwealth Army, who fought as a component of the United States Armed Forces alongside allied forces for four long years to defend and reclaim the Philippine Islands, and thousands more who joined the United States Armed Forces after the war; now, therefore, be it

*Resolved by the Assembly and the Senate of the State of California, jointly,* That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States during the First Session

of the 106th Congress to take action necessary to honor our country's moral obligation to provide these Filipino veterans with the military benefits that they deserve, including, but not limited to, holding related hearings, and acting favorably on legislation pertaining to granting full veterans benefits to Filipino veterans of the United States Armed Forces; and be it further

*Resolved,* That the Clerk of the Assembly transmit a copy of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-358. A joint resolution adopted by the Legislature of the State of California relative to child sexual abuse; to the Committee on Health, Education, Labor, and Pensions.

##### ASSEMBLY JOINT RESOLUTION NO. 21

Whereas, Children are a precious gift and responsibility; and

Whereas, The spiritual, physical, and mental well-being of children is our sacred duty; and

Whereas, No segment of our society is more critical to the future of human survival and society than our children; and

Whereas, Children who have been sexually abused often experience health problems, eating disorders, learning difficulties, behavioral problems, fearfulness, social withdrawal, anxiety, depression, and suicidal thoughts; and

Whereas, Psychologists, as researchers, educators, service providers, and policy advocates, have played important roles in advancing knowledge regarding the consequences, effective treatment, and prevention of child sexual abuse; and

Whereas, It is the obligation of all public policymakers not only to support but also to defend the health and rights of parents, families, and children; and

Whereas, Information endangering to children is being made public and, in some instances, may be given unwarranted or unintended credibility through release under professional titles or through professional organizations; and

Whereas, Elected officials have a duty to inform and counter actions they consider damaging to children, parents, families, and society; and

Whereas, California has made sexual molestation of a child a felony and has declared parents who sexually molest their children to be unfit; and

Whereas, Virtually all studies in this area, including those published by the American Psychological Association, condemn child sexual abuse as criminal and harmful to children; and

Whereas, The American Psychological Association repudiates and disassociates itself from any organization or publication that advocates sexual interaction between children and adults; and

Whereas, The American Psychological Association in July 1998, published a review of 59 studies of college aged students that indicates that some sexual relationships between adults and children may be less harmful than believed, and that some of the college students viewed their experience as positive at the time they occurred or positive when reflecting back on them; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly,* That the Legislature respectfully urges the President and Congress to reject and condemn, in the

strongest honorable written and vocal terms possible, any suggestions that sexual relations between children and adults, except for those that may be legal in the various states under statutes pertaining to marriage, are anything but abusive, destructive, exploitive, reprehensible, and punishable by law; and be it further

*Resolved*, That the Legislature condemns and denounces all suggestions in the recently published study by the American Psychological Association that indicates sexual relationships between adults and "willing" children are less harmful than believed and might even be positive; and be it further

*Resolved*, That the Legislature encourages competent investigations to continue to research the effects of child sexual abuse using the best methodology so that the public and public policymakers may act upon accurate information; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the majority leader of the Senate, the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

POM-359. A joint resolution adopted by the Legislature of the State of California relative to Medicare; to the Committee on Finance.

#### ASSEMBLY JOINT RESOLUTION NO. 18

Whereas, Prescription drugs are an important component of modern medical treatment; and

Whereas, Many elderly patients cannot afford necessary prescription drugs because of their limited and fixed incomes; and

Whereas, The Medicare program, provided for pursuant to Title XVIII of the federal Social Security Act (42 U.S.C. Sec. 1395 et seq.), generally does not provide coverage for the cost of prescription drugs; and

Whereas, Many medical insurance plans, including senior health maintenance organization plans, medical insurance plans for public and private employees, and medicaid, provide coverage for the cost of prescription drugs; now, therefore be it

*Resolved by the Assembly and the Senate of the State of California, jointly*, That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to enact legislation expanding Medicare benefits to include the cost of prescription drugs; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives, and to each Senator and Representative in the California delegation in the Congress of the United States.

POM-360. A joint resolution adopted by the Legislature of the State of California relative to the alternative minimum tax; to the Committee on Finance.

#### ASSEMBLY JOINT RESOLUTION NO. 7

Whereas, The federal Alternative Minimum Tax (AMT) is intended to assure that wealthy income taxpayers do not avoid taxation by using various credits, deductions, and other tax preferences; and

Whereas, The AMT requires an increasing number of taxpayers to calculate their taxes twice, under two different sets of rules, and pay whichever tax is higher; and

Whereas, The AMT affected 134,000 taxpayers in 1988, it now affects nearly one million and will affect five million by 2006; and

Whereas, More than 20 percent of those now paying AMT have adjusted gross incomes of less than one hundred thousand dollars (\$100,000), and nearly 2 percent have adjusted gross incomes of between thirty thousand dollars (\$30,000) and forty thousand dollars (\$40,000); and

Whereas, Families in the lowest income tax bracket of 15 percent who cut their tax bills by taking advantage of the new tuition and child credits could be forced to pay some taxes at the higher AMT minimum rate of 26 percent; and

Whereas, The sharp increase in the number of moderate income earners affected by the AMT is attributable to inflation indexing of personal exemptions, the standard deduction and tax-bracket break points, while AMT exemption amounts and tax brackets are not so indexed; and

Whereas, The AMT's inclusion of lower and lower-adjusted gross incomes is exacerbated by a strong economy; and

Whereas, The AMT disallows many deductions, credits, and other tax preferences that taxpayers could otherwise use, such as state and local taxes; and

Whereas, The AMT distorts economic decisions, especially in relation to capital formation, by raising marginal tax rates; and

Whereas, Compliance costs related to the AMT amount to at least 30 percent of its current revenue; and

Whereas, The inconsistent tax results between regular income tax and the AMT create hidden, onerous tax choices, produce conflicting goals for tax and financial planning, and vastly increase the complexity of compliance with the income tax law; now, therefore, be it

*Resolved by the Assembly and Senate of the State of California, jointly*, That California respectfully urges the Congress of the United States to index the AMT exemption and tax brackets for inflation; and be it further

*Resolved*, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, the Speaker of the House of Representatives, the Senate Majority Leader, the Senate Minority Leader, the House Majority Leader, the House Minority Leader, the Chair and ranking minority member of the Senate Finance Committee, the Chair and ranking minority member of the House Committee on Ways and Means, and each Senator and Representative from California in the Congress of the United States.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. DASCHLE (for himself, Mr. MOYNIHAN, Mr. ROCKEFELLER, Mr. KENNEDY, Mr. KERRY, Mr. BAUCUS, Mr. BINGAMAN, Ms. MIKULSKI, Mr. DURBIN, Mr. REID, Mr. KERREY, Mr. TORRICELLI, Mr. CLELAND, Mrs. BOXER, Mr. JOHNSON, Mr. REED, Mrs. MURRAY, Mr. SCHUMER, Mr. BREAUX, Mr. DODD, Mr. LEVIN, Mr. SARBANES, Mr. LEAHY, Mr. WELLSTONE, Mr. BRYAN, Mr. DORGAN, Mr. LAUTENBERG, Mr. BYRD, Mr. HARKIN, Mrs. FEINSTEIN, Mrs. LINCOLN, Mr. ROBB, and Mr. INOUE):

S. 1678. A bill to amend title XVIII of the Social Security Act to modify the provisions of the Balanced Budget Act of 1997; to the Committee on Finance.

By Mr. BIDEN (for himself, Mr. KERRY, and Ms. MIKULSKI):

S. 1679. A bill to amend the Internal Revenue Code of 1986 to implement enforcement of the Women's Health and Cancer Rights Act of 1998; to the Committee on Finance.

By Mr. ASHCROFT (for himself and Mr. FEINGOLD):

S. 1680. A bill to provide for the improvement of the processing of claims for veterans compensation and pensions, and for other purposes; to the Committee on Veterans Affairs.

By Mr. CRAIG:

S. 1681. A bill to extend the authority of the Thomas Paine National Historical Association to establish a memorial to Thomas Paine in the District of Columbia; to the Committee on Rules and Administration.

By Mr. ROCKEFELLER (for himself and Mr. GORTON):

S. 1682. A bill to amend title 49, United States Code, to authorize management reforms of the Federal Aviation Administration, and for other purposes; to the Committee on Commerce, Science, and Transportation.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LOTT:

S. Res. 194. A resolution expressing sympathy for the victims of the devastating earthquake that struck Taiwan on September 21, 1999; considered and agreed to.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. BIDEN (for himself and Mr. KERRY):

S. 1679. A bill to amend the Internal Revenue Code of 1986 to implement enforcement of the Women's Health and Cancer Rights Act of 1988; to the Committee on Finance.

#### BREAST RECONSTRUCTION IMPLEMENTATION ACT OF 1999

• Mr. BIDEN. Mr. President, I am pleased to introduce the Breast Reconstruction Implementation Act of 1999. This bill amends the Internal Revenue Code to require that all health plans provide coverage for breast reconstruction surgery after a woman has had a mastectomy for breast cancer.

Breast cancer is a frightening disease for women. It is common: a very high percentage of women who live long enough will eventually develop the disease. It is insidious: it can remain asymptomatic for many years before it is discovered. It is stealthy: it can recur many years after it has been thought to be cured. It is devastating: surgical treatment can be not only physically mutilating but psychologically devastating to a woman's sense of femininity and self-esteem. And it is everywhere: there is hardly anyone in this country who does not have a close friend or loved one who has been through an experience with breast cancer.